

REMARKS

Claims remaining in the present patent application are Claims 1-6 and 13-24. Claims 1, 13 and 19 are amended. No new matter is added. The Applicants respectfully request reconsideration of the above captioned patent application in view of the amendments presented herein and the following remarks.

U.S.C. § 102

Claims 1-3, 3-15 and 19-21 stand rejected under 35 U.S.C. § 102(e) as being allegedly unpatentable over Larsson (US 6,697,638, "Larsson"). Applicants have reviewed the cited reference and respectfully assert that Claims 1-3, 3-15 and 19-21 are patentable over Larsson for the following reasons.

With respect to independent Claim 13, Applicants respectfully assert that Larsson fails to teach or suggest the claimed limitations of :

in response to a request from said first portable computer system to establish communication between said first and second portable computer systems, accessing said device identification of said first portable computer system on said second portable computer system

as recited by amended Claim 13.

In contrast, Larsson teaches that an “event” associated with a user being close to the car, triggers attempts to establish communication. For example, “An event occurs at step 602, such as described above. Responsive to this event at 602, the car unit begins paging Bluetooth devices” (column 4, lines 43 – 50). Further, Larsson describes “events:”

The car senses the "event" of the user entering. The event can be sensed by any action that the car can sense, including actuating the car ignition key, a seat sensor detecting the driver sitting on the car's seat, a tilt sensor detecting the door being opened, a burglar alarm de-initiation, or any other event which can be determined by any circuitry in the car. Any of these events indicates that the user is close to the car.

Thus, Larsson teaches such “events” associated with a user being close to the car trigger attempts to establish communication, in contrast the claimed limitations of “in response to a request from said first portable computer system” as recited by Claim 13.

For this reason, Applicants respectfully assert that Claim 13 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Applicants respectfully assert that Claims 14-18 overcome the rejections of record by virtue of their dependency, and respectfully solicit allowance of these Claims.

Claims 1-3 and 19-21 stand rejected for the same reasons as set forth in Claims 13-15, “as method.” Applicants respectfully assert that Claims 1-3 and 19-21 overcome the rejections of record for at least the rationale previously presented with respect to Claim 13, and respectfully solicit allowance of these Claims.

U.S.C. § 103

Claims 4, 5, 16, 17, 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Larsson (US 6,697,638, “Larsson”) in view of Phillipps (WO 02/09362, “Phillipps”). Applicants have reviewed the cited references and respectfully assert that embodiments of the present invention as recited in Claims 4, 5, 16, 17, 22 and 23 are patentable over Larsson in view of Phillipps for the following reasons.

Applicants respectfully assert that Claims 4, 5, 16, 17, 22 and 23 overcome the rejections of record by virtue of their dependency, and respectfully solicit allowance of these Claims.

In addition with respect to Claim 16, Applicants respectfully assert that Larsson in view of Phillipps fails to teach or suggest the claimed limitations of “displaying a representation of said device identification on a display of said second portable computer system” as recited by Claim 16. The rejection concedes that Larsson does not mention this element, and introduces Phillipps to correct this deficiency of Larsson.

However, Larsson describes a “car kit” for operating a cellular phone using Bluetooth. As is known to those of ordinary skill in the art, “car kits” do not generally have a display unit. For example, “car kits” are usually installed in inaccessible portions of a car, e.g., in a truck. Consequently, there is no need for a display unit, as it would be unviewable in the installed location.. In addition, many jurisdictions prohibit video or computer displays that a driver can see while operating the vehicle.

Thus, one of ordinary skill would not be motivated to bodily add a display unit to a car kit, as proposed by the rejection. For example, the proposed display would be unusable or render the unit illegal. For this additional reason, Applicants respectfully assert that Claim 16 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Further with respect to Claim 16, Applicants respectfully assert that the proposed modification of Larsson to add a display unit to its car kit would change a principle of operation of Larsson. For example, Larsson teaches a secure “mode 4” in which overcomes any need for a display on the car kit by utilizing a display on a handset: “[a]t step 1012, the handset requests and displays information from the car kit. This includes the car registration number. The driver acknowledges the desire to connect to the particular unit by pressing a key on the handset keypad” (column 5, lines 24-35). Thus, Larsson is designed and intended to function without a car kit display unit.

Applicants respectfully assert that the proposed modification must change at least this principle of operation of Larsson. Per *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959), “if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.”

The proposed modification must change a principle of operation of Larsson. Consequently, the proposed modification of Larsson in view of Phillipps fails to establish *prima facie* obviousness, Applicants respectfully assert that all rejections over Larsson in view of Phillipps are overcome, and

respectfully solicit allowance of Claims 4, 5, 16, 17, 22 and 23 for this further reason.

Claims 6, 18 and 24 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Larsson (US 6,697,638, “Larsson”) in view of Johansson et al. (US 2002/0044549, “Johansson”). Applicants have carefully reviewed the cited reference and respectfully assert that embodiments of the present invention as recited in Claims 6, 18 and 24 are patentable over Larsson in view of Johansson for the following reasons.

Applicants respectfully assert that Claims 6, 18 and 24 overcome the rejections of record by virtue of their dependency, and respectfully solicit allowance of these Claims.

With respect to Claims 6, 18 and 24, Applicants respectfully assert that Larsson in view of Johansson fails to teach or suggest the claimed limitation “responsive to a failure of (establishing a Bluetooth connection between said second hand held computer system and said first handheld computer system), beginning said Bluetooth discovery process” as recited by Claims 6, 18 and 24. The rejection concedes Larsson does not mention this element.

The rejection introduces Johansson to remedy this deficiency of Larsson. The rejection asserts that Johansson teaches “(Bluetooth discovery process) should be invoked... periodically.” Assuming, *arguendo*, the rejection’s interpretation, Johansson’s teaching of “periodic” discovery, e.g., performing discovery responsive to a time interval, fails to teach or suggest the claimed limitation of performing discovery responsive to a failure to connect, as recited by Claims 6, 18 and 24. Johansson teaches time as triggering discovery, while the instant limitation utilizes a failure to connect with a known device as a trigger. The two trigger events are fundamentally different, and “time” does not teach or suggest a failed connection attempt.

Thus, neither Larsson nor Johansson, alone or in combination, teach or suggest this claimed limitation. Consequently, the rejection fails to establish *prima facie* obviousness. For this reason, Applicants respectfully assert that Claims 6, 18 and 24 overcome the rejections of record, and respectfully solicit allowance of these Claims.

CONCLUSION

Claims remaining in the present Patent Application are Claims 1-6 and 13-24. The Applicants respectfully request reconsideration of the above captioned patent application.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 504160.

Respectfully submitted,

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